

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

WILLIAM J. GRADFORD,

Plaintiff,

v.

CIRCUIT APPEAL, et al.,

Defendants.

Case No. 1:23-cv-01284-BAM

**ORDER GRANTING PLAINTIFF'S  
APPLICATION TO PROCEED WITHOUT  
PREPAYMENT OF FEES OR COSTS**

(Doc. 7)

Plaintiff William J. Gradford ("Plaintiff"), proceeding *pro se*, filed this action on August 28, 2023. (Doc. 1.) Plaintiff did not pay the filing fee in this action and instead filed an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (Doc. 2.) The Court subsequently ordered Plaintiff to complete another application to proceed *in forma pauperis* given deficiencies in the initial application. (Doc. 3.) On September 11, 2023, Plaintiff filed an application to proceed *in forma pauperis*. (Doc. 7.) Plaintiff has made the showing required by section 1915(a), and accordingly, the request to proceed *in forma pauperis* will be granted. 28 U.S.C. § 1915(a).

Plaintiff is advised that the Court is required to screen complaints of *pro se* litigants proceeding *in forma pauperis* pursuant to Title 28 of the United States Code section 1915(e)(2). The Court must dismiss a complaint or portion thereof if the action is legally "frivolous or

malicious,” fails to state a claim upon which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B). As a result, no summons will issue at this time. The Court will direct the United States Marshal to serve Plaintiff’s complaint only after the Court has screened the complaint and determined that it contains cognizable claims for relief against the named defendant. The Court will screen Plaintiff’s complaint in due course.  
IT IS SO ORDERED.

Dated: September 13, 2023

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE